

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re the application of
Burbank et al.

For: **BREAST BIOPSY SYSTEM AND
METHOD**

Serial No.: Not yet assigned

Filed: Concurrently

Atty. Docket. No.: R0367-00105

) Examiner: Not yet assigned

) Group Art Unit: Not yet assigned

) **REQUEST FOR FILING A**
) **CONTINUATION APPLICATION**
) **UNDER 37 C.F.R. § 1.53(b)**
)

22390 U.S. PTO
10/719612



Express Mail Label No.: ER 205012893 US
Mailed in San Francisco, CA on November 21, 2003

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a continuation application under 37 C.F.R. § 1.53(b), of co-pending prior application Serial No. 09/929,371, filed August 13, 2001, which is a divisional of pending prior application Serial No. 09/057,303, filed April 8, 1998, now U.S. Patent No. 6,331,166, which is a continuation of provisional application Serial No. 60/076,973, filed March 3, 1998, of Fred H. Burbank, Paul Lubock, and Michael L. Jones, for **BREAST BIOPSY SYSTEM AND LMETHOD**, which are incorporated herein in its entirety.

1. Enclosed is a true copy of the prior complete application as filed, including the specification (including claims), drawings, oath or declaration showing the signature or an indication it was signed, and any amendments referred to in the oath or declaration filed to complete the prior application.
2. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above. With respect to the prior

copending U.S. application from which this application claims benefit under 35 U.S.C. § 120, the inventor(s) in this application is (are):

☒ the same as those named in the prior application.

☐ less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:

3. ☒ The filing fees are to be calculated on the claims as filed in the prior application and the claims remaining as a result of the:

☐ amendment below;

☒ attached Preliminary Amendment.

Description	Fee Code	Claims	Extra	Rate	Fee
Basic Filing Fee	2001				\$385
Independent Claims	2201	2 - 3=	0 x	\$43=	\$0
Total Claims	2202	19 -20=	0 x	\$ 9=	\$0

Total Fees Due \$385

4. Payment of Filing Fees:

☒ The Commissioner is authorized to charge any fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 and §1.17, to Deposit Account No. 04-1679, referencing Attorney Docket No. R0367-00105. **A duplicate copy of this paper is attached.**

5. The prior application is assigned of record to: **SenoRx, Inc.**

6. The power of attorney in the prior application is to: **Edward J. Lynch.**

☐ The power appears in the original papers in the prior application.

☒ Power of Attorney and Revocation of Prior Powers was filed 12/21/1999.

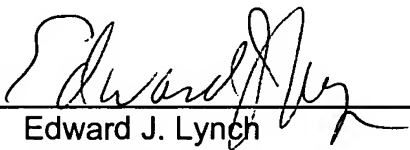
7. Please address all future correspondence to:

Edward J. Lynch
DUANE MORRIS LLP
One Market
Spear Tower, Suite 2000
San Francisco, CA 94105

8. Documents enclosed:

- /X/ Copy of prior complete application as filed including the specification (19 pages), claims (7 pages), and abstract (1 page), signed Declaration and Power of Attorney (1 page total), and informal drawings (11 sheets);
- /X/ Submission Of Formal Drawings;
- /X/ Eleven (11) Sheets of Formal Drawings as filed in pending prior application;
- /X/ Copy of Power of Attorney and Revocation of Prior Powers filed 12/21/1999;
- /X/ Change Of Correspondence Address;
- /X/ Preliminary Amendment and Information Disclosure Statement;
- /X/ Form PTO-1449; and
- /X/ Return receipt postcard.

Respectfully submitted,

By: 
Edward J. Lynch
Registration No. 24,422
Attorney for Applicants

DUANE MORRIS LLP
One Market
Spear Tower, Suite 2000
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Facsimile: (415) 371-2201
Direct Dial: (415) 371-2267

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Filed: Concurrently)	<u>CHANGE OF</u>
)	<u>CORRESPONDENCE ADDRESS</u>
Atty. Docket No.: R0367-00105)	

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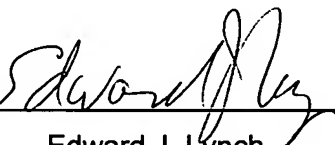
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P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Please address future correspondence for this application as follow:

Edward J. Lynch
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Respectfully submitted,

By: 
Edward J. Lynch
Registration No. 24,422
Attorney for Applicants

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METHOD)	
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Filed: Concurrently)	<u>SUBMISSION OF</u>
)	<u>FORMAL DRAWINGS</u>
Atty. Docket No.: R0367.00105)	

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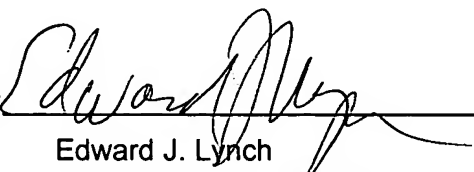
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P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith are eleven (11) sheets of formal drawings, as filed in the pending prior U.S. application Serial No. 09/929,371 for submission in the above-identified application.

Respectfully submitted,

By: 
Edward J. Lynch
Registration No. 24,422
Attorney for Applicants

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